

SCOPE OF WORK

SOW Date: December 2013

Estimated Design Engineering Start Date: March 2014
Region 1

PROJECT NUMBER: FSA 0761-216
PROJECT SUB ACCOUNT: 19085
PROJECT LOCATION: I-76 AT US85: EB AND WB
CONTRACT TYPE: PROJECT SPECIFIC, COST PLUS FIXED FEE
CONTRACT SUBJECT: DESIGN & ENVIRONMENTAL AND PROFESSIONAL
ENGINEERING SERVICES

The Contract Administrator for this Contract will be:

Jacob Ojera, PE
Resident Engineer – Region 1 North
4670 North Holly Street, Unit D
Denver, CO 80216
Office: 303-398-6732, Mobile: 303-916-1231
Email: Jacob.Ojera@state.co.us

Active Day to Day administration and monitoring of this contract will be delegated to the following CDOT employee:

Gary Huber, PE
Project Engineer – Region 1 North
4670 North Holly Street, Unit D
Denver, CO 80216
Office: 303-398-6768
Email: Gary.Huber@state.co.us

1. Introduction

This Scope of Work (SOW) has been carefully reviewed by the Department and reflects a plan of approach based on the known goals. The Consultant's analysis of the project goals, its evaluation of the work elements, and its formulation of the work plan, coupled with its understanding of and sensitivity to the key issues may produce new approaches or modifications to the project's work elements. Therefore, the Final Scope of Work for the project may change in some details to incorporate the Consultant's input. This work is located in Region 1 of the Colorado Department of Transportation.

The positions described herein are anticipated needs. The Department reserves the right to not utilize any of the positions listed if at the time of construction the Department has available resources to staff the project from within.

Existing Conditions

In 2012, this project was started to study safety improvements at westbound (WB) I-76 and US-85. A Safety Assessment Report for I-76, MP 11.00 to MP 12.50: Adams County was completed in April of 2006 and showed a high accident history. The Feasibility Study was completed in January 2013 using this study and a preliminary survey. The study consultant found that the super-elevation on the existing I-76 curve was substandard and contributed to the high accident rate. They recommended rebuilding the WB I-76 convergence curve with SB US85 to a maximum 6% super-elevation and thus return it to a higher 70 mph design speed curve with a safer condition.

In addition, a separate project to design the reconstruction of a portion of the existing concrete pavement from the convergence of both directions of I-76 and US85 south to about 96th Avenue was merged with this one.

2. Project Description

This project is intended to produce the following improvements:

- Improved Safety
- Higher level-of-service
- Improved riding surface
- Reconstruction

Project Limits

This project is located in unincorporated Adams County on I-76 from approximately MP 11.55 to MP 12.75 and on SB US 85 from MP 227.00 to MP 227.31.

Scope of Work

This project is to provide engineering to accomplish the reconstruction of the WB I-76 convergence curve with SB US85 to a standardized 6% super-elevation. In addition, this project will design the reconstruction of a portion of the existing concrete pavement from the convergence of both directions of I-76 and US85 south to about 96th Avenue. All of this work should be accomplished to avoid impacting properties outside the existing CDOT right of way and the consultant team will be part of a blended team with CDOT Roadway Design Team.

The project will also improve drainage facilities to eliminate flooding, provide water quality treatments, design adequate lighting, and upgrade signing and striping.

Major Features of the Proposed Construction

I-76 will be continuous two lanes westbound meeting with one lane from US85 and continuing southbound through 96th Avenue. Since earthwork will be necessary to raise US85 on ramp to meet I-76 at the full super-elevation of 6%, retaining wall and ditch design may be necessary to keep the project from impacting adjoining businesses. Also, maintaining the same number of continuous lanes while under construction will be mandatory.

Work Duration and Costs

The time period for the work described in this scope will run through June 2015.

Notice to Proceed is anticipated in February 2014.

Anticipated Project Schedule:

Scoping February 2014

Field Inspection Review July 2014

Final Office Review January 2015

Advertisement Date June 2015

The probable cost of this project is estimated at \$12.6 million. This figure is all inclusive, and includes all environmental clearances, design, and all other costs. Environmental and Design Services shall be completed prior to June, 2015. Construction of this project is anticipated to begin no later than August, 2015.

3. Project Scope and Tasks

This Request for Statements of Interest is for professional services for Environmental and Engineering work necessary to complete environmental clearances, 100% design plans, cost estimates, and other documents to a level necessary to acquire right-of-way, resolve utility conflicts and process utility agreements. The Consultant will be responsible for performing all services needed to assist the state in obtaining all Federal, State, and local clearances and approvals required.

General Description of Services:

A. Geotechnical Survey and Design: -Performed by the Consultant team

- ❖ Using available maps and field utility location services, locate utilities prior to drilling test holes. Consultant will work with staff from CDOT to determine proposed locations for test holes.
- ❖ Using the preliminary plans for roadway, retaining walls, permanent traffic signing and ITS, and temporary traffic control, develop a sampling plan that considers excavation/embankment areas of the roadway and structure locations. Drill sufficient test holes in accordance with CDOT's sampling requirements and perform sampling to obtain a soil profile for earthwork, pavement design and utility excavation conditions. The consultant team will be required to obtain and administer traffic control pursuant with CDOT requirements for the collection of all soil samples. The consult will characterize the soil to a depth of 6' below the proposed elevation at that location for cut sections and to 6' below the existing ground elevation for fill sections for pavement analysis and 10' into existing bedrock for retaining wall analysis.
- ❖ Deliverables: Prepare a Memorandum of Design–Geotechnical Investigations, which summarizes the results of the geotechnical survey and design recommendations and submit to the State for review.

B. Field survey – Primarily by CDOT. The Consultant team will be required to perform supplemental survey as needed

- ❖ Review existing survey files and perform field survey sufficient to support final design activities.

- ❖ Identify established vertical and horizontal control points tie to CDOT's datum and quarter-section control grid for use as project control. Relate to other active projects in the area.
- ❖ Obtain permission from property owners where surveys and geotechnical testing are required outside of the existing right-of-way.
- ❖ Field verify and/or locate all appropriate features (utilities, improvements, vegetation, curb, sidewalk, overhead utilities, signal equipment, etc.), controlling elevations needed for design, cross-sections, and soils borings.
- ❖ Locate property monumentation for inclusion on right-of-way/ownership plans and reconcile with existing plats and property records.
- ❖ Deliverables: Topographic survey drawings in a number of scales, according to discipline using this information. Control monumentation in a control diagram as required for contractor and supplemental surveys. Right of way property corners surveyed as field information for possible right of way drawings. Terrain data within a digital terrain model for use in ground surface modeling. Extra notes for culverts, signs, utility markers, storm water system, electric overhead lines, and utility lines shot during utility location mapping.

C. Environmental Design: - Performed by the Consultant team All environmental reports and clearances must be completed, permits obtained and mitigation plans developed to attain CDOT Form 128 clearance prior to advertisement of the project. CDOT will review, comment, and approve all reports.

- ❖ **Hazardous Waste/Materials (haz mat):** The designer of this project will be required to prepare a Phase I Environmental Site Assessment (ESA) and an update of this report dated no later than six months prior to construction to identify potential contamination sources that may affect project design and construction relative to property acquisition and worker/public health and safety. Generally following ASTM Guidance 1527 for Phase I Environmental Site Assessments, CDOT hazmat specialists may opt for lesser or expanded requirements, depending on the degree of project excavation and ROW acquisition. Expanded requirements, as detailed in the CDOT Modified Environmental Site Assessment (MESA) guidance, generally include some expanded search radii, additional project-specific information, and strong conclusions. (Guidance documents mentioned above are available through CDOT haz mat specialists.) The Phase I ESA/MESA will identify potential "red flags" which may require a Phase II Site Investigation to further ascertain the extent of soil and groundwater contamination and its influence on design and construction. The Phase I ESA/MESA reports (and Phase II only if Hazardous material is found) shall be forwarded to CDOT for compliance review.
 - Sample all metals to be removed for lead contamination. If lead is found, share results with regional hazardous materials representative and prepare a removal and disposal specification.
- ❖ **Archeology:** A review of historic Sanborn Fire Insurance maps and other appropriate archival sources will be completed to determine if the area may contain significant archaeological sites or features. Conduct an intensive field survey of the project corridor(s) and undertake site-specific test excavations, as necessary and appropriate, to determine NRHP eligibility.

- ❖ The Consultant shall not undertake test excavations before consulting with CDOT. Complete laboratory analyses of all collected artifacts and ancillary specimens. Write a comprehensive survey report according to guidelines established by the OAHP. Develop a data recovery plan to mitigate potential adverse effects to significant archaeological localities, as appropriate and necessary. Coordinate the mitigation plan with the EPB Senior Staff Archaeologist, SHPO, and other required agencies. Conduct data recovery excavations at any significant archaeological site that cannot be avoided during construction. Analyze artifacts. Prepare and submit a data recovery excavation report which describes, in a thorough and comprehensive fashion, the project results and the nature of the site in the context of the regional archaeological database. The report must also include site management recommendations in the context of the NRHP. Coordinate Tribal Consultation and support EPB Senior Staff Archaeologist as needed. Prepare Section 4(f) documents as required.

- ❖ **Paleontology:** Perform a literature and museum fossil database search and field assessment. Determine the presence or absence of paleontological resources. Conduct analysis to determine the scientific significance (research and/or educational value) of the resource. Write the paleontological technical report, including mitigation proposals, if necessary. The assessment report will be reviewed by the EPB Staff Paleontologist for adequacy. Coordinate the mitigation plan with the EPB Staff Paleontologist.

- ❖ **Historic Bridge:** Determine the area of potential effect (APE), in coordination with CDOT and the State Historic Preservation Officer (SHPO). Conduct a literature and records search for previously recorded historic resources in the APE at the OAHP. Conduct an intensive architectural field survey of the APE and determine National Register of Historic Places (NRHP) eligibility for each resource 45 years or older. Potential resources include man-made structures, ditches, railroads, etc. Identify and coordinate with consulting parties (e.g., public, historic preservation groups, local historical societies, museums) regarding historic properties in the project area. Write a comprehensive Historic Resources Survey Report according to guidelines established by the OAHP to submit for review by the CDOT Region and/or EPB Senior Staff Historian. Determine potential impacts, both direct and indirect, to historic resources and recommend mitigation strategies to avoid, minimize, or mitigate impacts. Prepare correspondence as necessary for the CDOT Region and/or EPB Senior Staff Historian to submit to the SHPO. Collaborate with the CDOT Region Historian or EPB Senior Staff Historian to develop a Memorandum of Agreement, if necessary, with recommended mitigation strategies for adverse effects for agency review and execution. Prepare Section 4(f) documents as required. Work with the CDOT Region historian or EPB Staff Historian to obtain any necessary approvals.

- ❖ **Noxious Weed Management Plans:** The project must be surveyed for state and county listed noxious weeds. If noxious weeds are identified on the project site a noxious weed management plan must be developed to eliminate them from the project and prevent them from spreading. Plans should consult both official state and county lists. Plans should identify, map and prioritize the major weed species and provide a prescription for control. The Noxious Weed Management Plan shall be forwarded to CDOT for compliance review.
- ❖ **Water Quality and Erosion:** Protection of water quality is as important as any other aspect of the project. Drain inlets, outlets, wetlands and waterways must be protected to prevent sediment laden storm water from entering them. All projects involving a disturbance of soil or exposure of pavement sub-grade require a Storm-water Management Plan (SWMP). All projects involving a disturbance of soil or exposure of pavement sub-grade over one acre will require the Colorado Department of Public Health and Environment (CDPHE) Colorado Discharge Permit System (CDPS) storm water construction permit (also referred to as National Pollutant Discharge Elimination System Permit-NPDES). Best Management Practices (BMP's) need to be installed and maintained to control and prevent sediment-laden storm-water from leaving the construction site and reaching state waters. Furthermore, CDOT's New Development and Redevelopment Program applies statewide. The project will require consideration of permanent storm-water quality BMP's based on the Guidelines of CDOT's MS4 permit and the CDOT New Development and Redevelopment Storm-water Management Program. Examples of permanent BMP's include water quality ponds, sediment vaults, plant buffers and swales.
- ❖ **Threatened and Endangered Species:** Write letters for the CDOT EPB Wildlife Program Manager's signature to the Colorado Division of Wildlife (CDOW), US Fish and Wildlife Service (USFWS), and Colorado Natural Heritage Program (CNHP) requesting a T&E species list. Conduct necessary desktop and field surveys and identify T&E species and/or Designated Critical Habitat. Review existing planning documents to determine any existing Habitat Conservation Plans (HCP) for T&E species. Identify impacts to species and recommend mitigation. Based on affected environment and habitat, prepare the T&E species impact assessment. Develop a Biological Assessment for the USFWS if federally listed T&E species and/or Designated Critical Habitat will be impacted and there is a federal nexus. Develop a HCP with the USFWS if T&E species and/or Designated Critical Habitat will be impacted and if there is a federal nexus. Identify any impacts and develop a mitigation plan to conform to requirements of the Endangered Species Act.
- ❖ **Permits:** - performed by the Consultant team

There are several environmental permits that may be required before the project can go to advertisement. The majority of the permits can be acquired in about 6 weeks. Examples of these permits are:

- For ground disturbances over 1 acre, a National Pollutant Discharge Elimination System (NPDES) permit is issued by Colorado Department of Public Health and Environment (CDPHE). The NPDES/ Section 402 "storm-water associated with construction activity" discharge permit covers water quality and erosion issues.

- Additionally a Section 402 Dewatering permit will be required. The dewatering permit application describes how the water will be removed, used or allowed to evaporate. A permit is issued after project plans; specifications and application are reviewed and accepted by CDPHE. Discharge into state waters and drainage systems is not allowed by dewatering activities.
- Deliverables: All necessary permits for this project and specifications stating project specific permits required by the Contractor.

D. Utility Coordination and Design: - Tasks performed by the Consultant team

- ❖ Plot utility data from research and field survey on planimetric base sheets and send copies of preliminary plans to utility companies to get verification of existing and proposed utility facilities shown on the plans.
- ❖ Develop potholing/utility location plan based on preliminary design/layout and field locate all underground utilities that will be instrumental in design decisions. Record the results for use with design and relocation plans.
- ❖ In conjunction with the roadway, structures and hydraulic design, identify utility conflicts and design the relocations/adjustments in cooperation with utility owners, including CDOT ITS fiber optic locations.
- ❖ In conjunction with utility owners, prepare a utility relocation summary and secure acknowledgement from utility owners of their responsibilities in meeting project needs. Several meetings should be anticipated with Xcel gas and electrical divisions, AT&T and other utility providers in the corridor to discuss relocation of existing facilities and the location of new facilities, share plans and resolve issues. The Consultant will keep a log of all meetings and conversations and will prepare written follow up summarizing attendance and decisions made.
- ❖ Utility plan and profiles showing details on all existing and proposed utilities affected by the project.
- ❖ Perform highway pavement lighting design and engineering, show placements and facilities in plan view, details, and specify materials compliant with current CDOT procedures. Develop electrical source locations with the electric company.
- ❖ Deliverables: Prepare a Memorandum of Design – Utilities that will describe all utilities affected by the project and the adjustment, relocation or extension needed.

E. Drainage Design: - Tasks performed by the Consultant team

- ❖ Establish/verify drainage basin boundaries and summarize drainage characteristics and concerns for the project area and each of the affected adjoining parcels based on survey information and previous reports.

- ❖ Establish/verify sizes and locations of required drainage and irrigation structures in CDOT property and the design requirements for each. Drainage design shall include facilities to allow the elimination of any excess water from flooding the interstate. Prepare storm sewer plan and profiles and details as needed.
- ❖ Research and provide information for CLOMR / LOMR as needed to Adams County. Perform flood plain analysis within the CDOT Right of Way.
- ❖ Deliverables: Prepare a Memorandum of Design-Drainage, which contains comprehensive summary of all drainage issues and analysis for the project. Also provide a Drainage Report with calculated quantities of off-site and on-site flows.

F. Traffic Engineering: - Tasks performed by CDOT

- ❖ Prepare final signing and striping plans for the project, including transitions/changes to existing signage/striping and/or that of adjacent projects and structures.
- ❖ Deliverables: Signing and striping plans, tab of quantities, and details for signs and striping.

G. Roadway Design Plans: - Tasks performed primarily by CDOT

The permanent roadway design will be done by CDOT and needs to take into consideration the impacts to rights of way, structures, drainage facilities, landscaping, and the ability to construct to meet budget constraints.

- ❖ Review Field Inspection Review and construction drawings, contract documents and specifications for interchange improvements using the Colorado Department of Transportation format and make comments; recommend modifications that promote efficiency and reduce redundancy of information. Review is needed on:
 - Summary of Quantities sheet with select use of tabulation sheets.
 - Roadway plan sheets and separate profile sheets including existing topography, proposed alignment, profile grades, raised median, existing ground lines, existing and proposed right-of-way, existing utilities, flowline of curbs, curb returns, proposed mill and overlay areas and full depth paving areas, existing ownerships and other necessary information.
 - Cross-sections showing existing ground and proposed roadway sub-grade cross-section at 50-foot intervals. Several other cross-sections will be necessary at special locations, determined during design.

Tasks performed by the Consultant team:

- ❖ For items designed by the Consultant team, prepare quantity and cost estimate items for review with the State at several stages of design progress. Review Summary of Approximate Quantities provided by CDOT for concurrence with all consultant generated quantities.

- ❖ Deliverables: Assist to prepare Memorandum of Design – Roadways, which outlines design criteria, summarizes required laneage, access and other design considerations and the traffic analysis that justifies the recommended improvements.

H. Construction Phasing and Traffic Control Plans: - Tasks performed by the Consultant team.

- ❖ Develop and review plans to determine a cost effective approach for staged construction and identify/summarize costs and benefits of each approach.
- ❖ Prepare typical sections and plans showing detours and work areas within the project right-of-way for the recommended construction phases.
- ❖ Submit cross sections of temporary detours on finished terrain and determine volumes of earthwork necessary to construct detours in addition to permanent roadway.
- ❖ Deliverables: Prepare and submit to the State a Memorandum of Design – Construction Phasing, outlining the alternatives for project phasing and the recommended approach. Also assist in preparation of Project Control Data form, with the estimated schedule for project phasing.

I. Right-of-Way Exhibits and Legal Descriptions: - Tasks performed by the Consultant team:

Prepare right-of-way plans in accordance with CDOT's Survey Manual. The right-of-way (ROW) legal descriptions and exhibits prepared under this section will be the documents to be used by the State to acquire the right-of-way and easements necessary to complete the construction of the project. The documents can be expected to go through draft and final versions. Up to seventeen (17) property ownerships may be affected by the primary phase of the project, requiring the activities below. Additional properties may be affected by the second phase involving utility under-grounding. The State will secure title commitments which will be shared with the Consultant for use in confirming and mapping property boundaries, encumbrances, etc to assist the State in preparing Agreements for Possession or Purchase.

- ❖ Determine approximate areas of parcels to be acquired and areas of remainders based on roadway layout alternatives. Prepare a working right-of-way/ownership map on a base of aerial photography for ongoing use to illustrate right-of-way requirements for several roadway footprints.
- ❖ Develop a Right-of-Way/Ownership Map in CDOT format for the depiction and tabulation of the right-of-way and remainder ownership in the project. The Map can be expected to evolve as the project design proceeds. This document will ultimately take the form of a Land Survey Plat once all acquisitions are complete and will need to be recorded with the Adams County Clerk and Recorder.
- ❖ Write legal descriptions and prepare exhibit maps of fee parcels and easements to be acquired. Approximately twenty (20) descriptions may be necessary and will go through draft and final versions. A record copy of the legal descriptions shall include seal, signature, name and number of the Professional Land Surveyor responsible for its preparation.

- ❖ Temporarily stake in the field the proposed acquisitions sufficient to review with six property owners in advance of acquisition.
- ❖ Deliverables: Right of Way plans, legal descriptions, exhibit maps, and documents referenced above, all for CDOT review.

J. Specifications/Bidding: - Tasks performed by the Consultant and CDOT teams

- ❖ Prepare Standard Specifications and Special Provisions to augment the CDOT's Standard Specifications for Road and Bridge Construction, latest revisions.
- ❖ Assist to prepare final bid package, including bid forms, contract documents and general conditions of the construction contract. Standard forms and formats as provided by the State and modified by the Consultant will be utilized for Contract Documents and General Conditions.

K. Project Coordination: - Tasks performed by the Consultant and CDOT teams

- ❖ Attend periodic progress meetings with the State and provide periodic progress reports for this project. Additional meetings and correspondence will be required to coordinate progress with property owners, utility companies, and other jurisdictions, as outlined elsewhere in this Scope of Work.
- ❖ Prepare and distribute written minutes of meetings required for the project and document time delays, scope of work variations, changes in input from entities and maintain a file of project correspondence to share with the State.
- ❖ Arrange and attend three major design review meetings (e.g., Design Scoping Review, Field Inspection Review and Final Office Review), as determined by CDOT. Prepare and distribute minutes of these meetings and perform/confirm follow-up activities.
- ❖ Update and revise all Memoranda of Design at/or near project completion and combine into a Design Report, which summarizes the major components and chronology of the design effort, including summary of alternatives analyses, cost comparisons and design decisions.
- ❖ Prepare and maintain a comprehensive database of contact information on the project team, including the State, Consultant, utility companies and such other individuals as needed.

L. Structures: - Tasks performed primarily by CDOT

- ❖ Research and design retaining walls as necessary to avoid fill slopes outside of existing CDOT Right of Way. Prepare structure selection report by Field Inspection Review time and preliminary General Layout for walls.
- ❖ Prepare final General Layout with quantities, wall details, and reinforced moment slabs with guard rail.
- ❖ Review, comment, and approve contractor submitted retaining wall shop drawings.

Other information regarding the Scope of Services

The Consultant will be required to provide the State with a copy of the design documents in a .pdf format, all CAD files will comply with CDOT's design standards. Follow the link for details:

<http://www.coloradodot.info/business/designsupport/cadd>

Progress meetings

The State and Consultant Project Managers will meet periodically as required (typically at two week intervals during the design phase of the project). These Progress Meetings will be used to coordinate the work effort and resolve problems, and the meetings will be required throughout the duration of the project. The meetings will review the following:

- Meeting minute preparation and distribution by the Consultant.
- Activities completed since the last meeting.
- Review of updated construction cost estimates.
- Review of updated design and/or construction schedules and related changes to the critical path.
- Problems encountered.
- Activities required by the next progress meeting.
- Proposed solutions for unresolved and anticipated problems and late activities.
- Information or items required from other agencies and discuss agency coordination.
- Other required meetings are described in the following sections.

Work Product. The Consultant work products for assigned specialties are:

- ☒ Reports
- ☒ Field Inspection Review (FIR) Plans
- ☒ Final Office Review (FOR) Plans and Specifications
- ☒ AD Plans, Contract documents and General Conditions, Specifications and Cost Estimate
- ☒ Construction Bid and Plan Package

4. General Information

The CDOT Region 1 North Engineering units are charged with the management and control of state highways and roadways with state rights of way. The State expects that this RFP and selection process will result in the selection of a Consultant and affiliated team to be retained in a professional capacity for the development and execution of the professional services described above.

This RFP solicitation is issued by the North Engineering Resident Engineer pursuant to the authority vested in the State Manager. As its best interests may appear, the Resident Engineer reserves the right to terminate, modify or suspend the process, reject any or all submittals, modify the terms and conditions of this selection process and/or waive informalities in any submission.

A. Funds:

The estimated cost of construction is \$3.8 million. The State liability for expenditure of public funds pursuant to this proposal shall be contingent upon and limited to the appropriation of funds for the Agreement to the successful proposer by the Cities of Federal Heights and Westminster.

C. Project Manager:

The Consultant shall be directed by the Project Manager and work closely with the Client Agency, all public utilities, the Construction contractor, and other agencies throughout the project life including the warranty phase. The Project Manager shall have the right to reject inaccurate or substandard work and cause such rejected work to be satisfactorily corrected without additional cost to CDOT.

D. Contract Review.

Proposers shall undertake a detailed review of the *Sample Agreement* (Attachment 2) and submit with their proposal a list of all questions, issues, or modifications which the Proposer would like the State to review and address, should they be selected as the top ranked proposer. The State shall assume that the Sample Agreement has been thoroughly reviewed and discussed with legal counsel prior to submission of the list of issues. Therefore, all proposers are strongly advised to seek legal counsel prior to preparing such a list.

1. The State anticipates that the final Agreement submitted to the selected Proposer for execution will be in a form substantially similar to Attachment 2. Consequently, the State will not enter into detailed negotiations of the terms and provisions contained in the sample agreement. Instead, the State will review the list of issues raised by the selected Proposer, address each issue at its sole discretion and provide the selected Proposer with a final executable Agreement for signature.

2. In the event the State elects to make significant, material changes to the form provided or proceed with another agreement format, the State will provide the selected proposer with an opportunity to review and submit a list of issues regarding the changes or new format. The State will then address the issues raised at its sole discretion and provide the selected Proposer with a final executable Agreement for signature.

3. Should the Proposer fail to execute this final Agreement, the State reserves the right to negotiate with the Proposer, terminate further negotiations and initiate negotiations with another ranked proposer or reject any or all Proposers, as its best interests may appear.

4. The selected Proposer for this Project shall be required to strictly comply with the Insurance and Indemnification requirements set forth in the *Sample Agreement* (Attachment 2). The selected Consultant, all other primary firms and all sub consultant firms performing work or providing services for the Project will be required to obtain insurance coverage in the amounts and under the terms and conditions specified therein. As such, each Proposer shall submit with its Response, a statement indicating the firm's intention to comply with the requirements of this section if selected by the State to review the format and requirements, terms and conditions the Consultant and its sub consultants must comply with as a part of the Agreement for this project.

E. CDOT COMPUTER/SOFTWARE INFORMATION

The consultant shall utilize the most recent CDOT adopted software. The primary software used by CDOT is as follows:

1 Earthwork	InRoads
2 Drafting/CADD	InRoads and Microstation with CDOT's formatting configurations and standards
3 Survey CDOT	Inroads TMOSS
4 Geometry	CDOT COGO (Coordinate Geometry)
5 Bridge	CDOT Staff Bridge software shall be used in either design or design check
6 Estimating	Transport (an AASHTO sponsored software)
7 Specifications	Microsoft Word
8 Traffic Highway Capacity Software	(HCS)
9 Traffic Operations	CORSIM or VISSIM
10 Traffic Signals	Passer II-90
11 Traffic Model	Quick Response System (QRS) II
12 Materials	AASHTO Darwin, LTPPBind
13 Hydraulics	Hydrologic Engineering Center's River Analysis System (HEC-RAS)
14 Pavement Design	DARWin (AASHTO)
15 Scheduling	MS Project or Primavera
16 GIS	ESRI, ArcMap geodatabases (Projection: UTM NAD 83, Zone 13)
17 Noise Modeling	TNM v2.5
18 Miscellaneous	Microsoft Word, Excel, Power Point

5. RFP Guidelines

A. Colorado Open Records Act.

Documents submitted in response to this RFP will be subject to the Colorado Open Records Act, C.R.S. §§ 24-72-201, et. seq. ("CORA"). Information clearly marked as confidential and proprietary will be kept confidential by the State, unless otherwise provided by law. CORA prohibits the State from disclosing trade secrets, privileged information, and confidential commercial, financial, geological, or geophysical data furnished to it by any person, in response to a request under CORA. If the State receives a request for such information, it will notify the Proposer so that the Proposer may confirm which information in its Proposal is confidential. If a suit is filed to compel disclosure of such information, the State will notify the Proposer, and the Proposer shall be responsible for taking appropriate action to defend against disclosure of its confidential information.

B. Submission Ownership, Use and Rights:

The State reserves the option of retaining any or all of the materials and drawings submitted by the Proposers or Respondents to this RFP. Any unique or exclusive design concepts or features represented in the submission documents shall remain the property of the authoring Design Consultant. They may not be used by the State or other parties to design or construct any facility, in whole or in part, without the further agreement of, and compensation to, the authoring party.

C. Disadvantaged Business Enterprise (DBE) Requirements:

The DBE participation goal for this contract is **0%**. Although there is no "Goal" CDOT EEO will allocate points should prime propose UDBE Sub-Contractors. Each proposer must comply with CDOT's DBE Definitions and Requirements at <http://www.coloradodot.info/business/equal-opportunity/emerging-small-business-program/sbconsultant/dbe-regulations.html> in order to receive points for DBE participation on the contract.

The contractor agrees to and shall include in all subcontracts the following assurance:

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

D. RFP Administration:

The administrator for this selection process will be Jacob Ojera, Region 1 Resident Engineer, and will be responsible for coordination of the procedures and rules specified in this RFP, managing this process and all other matters related to this process. In conducting the process in a fair and equitable manner, the administrator will serve as the primary intermediary between the design professionals, CDOT, and the members of the Selection Committee. All inquiries and questions regarding this RFP shall be directed to Jacob Ojera in writing via email at Jacob.Ojera@state.co.us. Any applicant that contacts any member of the Selection Committee, as designated in Section 6, other than the designated contact from the date of issuance of the RFP and prior to the completion of the selection process may be disqualified from further participation in the selection process, at the State's sole discretion.

E. Verification of Information:

Applicants are hereby notified that the State will rely on the accuracy and completeness of all information provided in making its selection. As such, Applicants are urged to carefully review all information provided to ensure the clarity, accuracy and completeness of such information.

As the State deems necessary and appropriate in its sole discretion, the State reserves the right to make any inquiries or other follow up required to verify the information provided.

F. Discrimination in Employment:

In connection with the performance of work on this project, the selected Consultant agrees not to refuse to hire, discharge, promote or demote, or to discriminate in matters of compensation against any person otherwise qualified, solely because of race, color, religion, national origin, gender, gender variance, age, military status, sexual orientation, marital status, or physical or mental disability; and the contractor further agrees to insert the foregoing provision in all subcontracts hereunder.

G. Applicable Laws:

This selection process and the performance of any selected proposer shall be subject to, governed by and construed in accordance with the laws of the State of Colorado.